

# **CHAPTER 11. ENFORCEMENT AND PENALTIES**

## **11.1. ENFORCING OFFICER**

The zoning inspector is hereby designated as the enforcing officer of this code. The enforcing officer is hereby authorized to enforce, issue orders to prevent and stop violations, and administer the provisions of this code. The zoning inspector may be assisted by other personnel as the board of township trustees may authorize.

## **11.2. REMEDIES**

If any building or land is used, altered, constructed, enlarged or any such action proposed in violation of the provisions of this code or any amendment or supplement thereto, the Hamilton Township law director, the zoning inspector, any person or any property owner damaged by or subject to damage by such violation in addition to remedies provided by law is hereby empowered or authorized to institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alterations, enlargement, change, maintenance or use.

## **11.3. NOTICE OF VIOLATION**

The notice of any violation of the zoning code shall be as follows:

**11.3.1.** Whenever the zoning inspector determines that there is a violation of any provision of this zoning code, a notice of such violation shall be issued. Such notice shall:

- A.** Be in writing;
- B.** Identify the violation;
- C.** Include a statement of the reason or reasons why it is being issued and refer to the section of this zoning code being violated;
- D.** Provide a copy of the necessary forms to file an appeal; and
- E.** State the time by which the violation shall be corrected.

**11.3.2.** Service of notice of the violation shall be as follows:

- A.** By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of 16 years or older; or
- B.** By certified mail, and first class simultaneously, addressed to the person or persons responsible at a last known address. Service shall be deemed complete when a certified mail receipt is received or first class mail is not returned after 10 days of mailing; or
- C.** By posting a copy of the notice form in a conspicuous place on the premises found in violation.

## **11.4. PENALTIES**

Any person, firm or corporation violating any regulation, provision, amendment or supplement to this code, or failing to obey any lawful order of the zoning inspector issued pursuant thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500.00 or the maximum amount

allowed by the Ohio Revised Code. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.

### **11.5. AFFECTED PARTIES**

The owner or tenant of any building, structure, premises, or part thereof, and any architect, engineer, surveyor, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation may be found guilty of a separate offense and suffer the penalties herein provided.

### **11.6. OTHER ACTION**

Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation including issuing a misdemeanor citation for a continuing zoning code violation.